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Question of Palestine

Afghanistan, Algeria, Argentina, Bahrain, Bangladesh, Bolivia (Plurinational State of), Brazil, Brunei Darussalam, Chile, China, Comoros, Cuba, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Guinea-Bissau, Guyana, Iceland, India, Indonesia, Iraq, Jordan, Kazakhstan. Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Morocco, Namibia, Nicaragua, Nigeria, Oman, Pakistan, Peru, Qatar, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, Sudan, Tajikistan, Tunisia, Turkey, United Arab Emirates, Uruguay, Venezuela (Bolivarian Republic of), Yemen, Zimbabwe and Palestine: draft resolution

Status of Palestine in the United Nations

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, and stressing in this regard the principle of equal rights and self-determination of peoples,

Recalling its resolution 2625 (XXV) of 24 October 1970,[1] by which it affirmed, inter alia, the duty of every State to promote through joint and separate action the realization of the principle of equal rights and self-determination of peoples,

Stressing the importance of maintaining and strengthening international peace founded upon freedom, equality, justice and respect for fundamental human rights,

Recalling its resolution 181 (II) of 29 November 1947,

Reaffirming the principle, set out in the Charter, of the inadmissibility of the acquisition of territory by force,

Reaffirming also relevant Security Council resolutions, including, inter alia, resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 446 (1979) of 22 March 1979, 478 (1980) of 20 August 1980, 1397 (2002) of 12

[1] Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations.

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March 2002, 1515 (2003) of 19 November 2003 and 1850 (2008) of 16 December 2008,

Reaffirming further the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] to the Occupied Palestinian Territory, including East Jerusalem, including, inter alia, with regard to the matter of prisoners,

Reaffirming its resolution 3236 (XXIX) of 22 November 1974 and all relevant resolutions, including resolution 66/146 of 19 December 2011, reaffirming the right of the Palestinian people to self-determination, including the right to their independent State of Palestine,

Reaffirming also its resolutions 43/176 of 15 December 1988 and 66/17 of 30 November 2011 and all relevant resolutions regarding the Peaceful settlement of the question of Palestine, which, inter alia, stress the need for the withdrawal of Israel from the Palestinian territory occupied since 1967, including East Jerusalem, the realization of the inalienable rights of the Palestinian people, primarily the right to self-determination and the right to their independent State, a just resolution of the problem of the Palestine refugees in conformity with resolution 194 (III) of 11 December 1948 and the complete cessation of all Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem,

Reaffirming further its resolution 66/18 of 30 November 2011 and all relevant resolutions regarding the status of Jerusalem, bearing in mind that the annexation of East Jerusalem is not recognized by the international community, and emphasizing the need for a way to be found through negotiations to resolve the status of Jerusalem as the capital of two States,

Recalling the advisory opinion of the International Court of Justice of 9 July 2004,[3]

Reaffirming its resolution 58/292 of 6 May 2004, affirming, inter alia, that the status of the Palestinian territory occupied since 1967, including East Jerusalem, remains one of military occupation and that, in accordance with international law and relevant United Nations resolutions, the Palestinian people have the right to self-determination and to sovereignty over their territory,

Recalling its resolutions 3210 (XXIX) of 14 October 1974 and 3237 (XXIX) of 22 November 1974, by which, respectively, the Palestine Liberation Organization was invited to participate in the deliberations of the General Assembly as the representative of the Palestinian people and was granted observer status,

Recalling also its resolution 43/177 of 15 December 1988, by which it, inter alia, acknowledged the proclamation of the State of Palestine by the Palestine National Council on 15 November 1988 and decided that the designation "Palestine" should be used in place of the designation "Palestine Liberation Organization" in the United Nations system, without prejudice to the observer status and functions of the Palestine Liberation Organization within the United Nations system,

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[2] United Nations, *Treaty Series*, vol. 75, No. 973.

[3] See A/ES-10/273 and Corr.1; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

Taking into consideration that the Executive Committee of the Palestine Liberation Organization, in accordance with a decision by the Palestine National Council, is entrusted with the powers and responsibilities of the Provisional Government of the State of Palestine,[4]

Recalling its resolution 52/250 of 7 July 1998, by which additional rights and privileges were accorded to Palestine in its capacity as observer,

Recalling also the Arab Peace Initiative adopted in March 2002 by the Council of the League of Arab States,[5]

Reaffirming its commitment, in accordance with international law, to the two-State solution of an independent, sovereign, democratic, viable and contiguous State of Palestine living side by side with Israel in peace and security on the basis of the pre-1967 borders,

Bearing in mind the mutual recognition of 9 September 1993 between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people,[6]

Affirming the right of all States in the region to live in peace within secure and internationally recognized borders,

Commending the Palestinian National Authority's 2009 plan for constructing the institutions of an independent Palestinian State within a two-year period, and welcoming the positive assessments in this regard about readiness for statehood by the World Bank, the United Nations and the International Monetary Fund and as reflected in the Ad Hoc Liaison Committee Chair conclusions of April 2011 and subsequent Chair conclusions, which determined that the Palestinian Authority is above the threshold for a functioning State in key sectors studied,

Recognizing that full membership is enjoyed by Palestine in the United Nations Educational, Scientific and Cultural Organization, the Economic and Social Commission for Western Asia and the Group of Asia-Pacific States and that Palestine is also a full member of the League of Arab States, the Movement of Non-Aligned Countries, the Organization of Islamic Cooperation and the Group of 77 and China,

Recognizing also that, to date, 132 States Members of the United Nations have accorded recognition to the State of Palestine,

Taking note of the 11 November 2011 report of the Security Council Committee on the Admission of New Members,[7]

Stressing the permanent responsibility of the United Nations towards the question of Palestine until it is satisfactorily resolved in all its aspects,

Reaffirming the principle of universality of membership of the United Nations,

1. *Reaffirms* the right of the Palestinian people to self-determination and to independence in their State of Palestine on the Palestinian territory occupied since 1967;

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[4] See A/43/928, annex.

[5] A/56/1026-S/2002/932, annex II, resolution 14/221.

[6] See A/48/486-S/26560, annex.

[7] S/2011/705.

2. *Decides* to accord to Palestine non-member observer State status in the United Nations, without prejudice to the acquired rights, privileges and role of the Palestine Liberation Organization in the United Nations as the representative of the Palestinian people, in accordance with the relevant resolutions and practice;

3. *Expresses the hope* that the Security Council will consider favourably the application submitted on 23 September 2011 by the State of Palestine for admission to full membership in the United Nations;[8]

4. *Affirms* its determination to contribute to the achievement of the inalienable rights of the Palestinian people and the attainment of a peaceful settlement in the Middle East that ends the occupation that began in 1967 and fulfils the vision of two States: an independent, sovereign, democratic, contiguous and viable State of Palestine living side by side in peace and security with Israel on the basis of the pre-1967 borders;

5. *Expresses the urgent need* for the resumption and acceleration of negotiations within the Middle East peace process based on the relevant United Nations resolutions, the terms of reference of the Madrid Conference, including the principle of land for peace, the Arab Peace Initiative[5] and the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict[9] for the achievement of a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides that resolves all outstanding core issues, namely the Palestine refugees, Jerusalem, settlements, borders, security and water;

6. *Urges* all States, the specialized agencies and organizations of the United Nations system to continue to support and assist the Palestinian people in the early realization of their right to self-determination, independence and freedom;

7. *Requests* the Secretary-General to take the necessary measures to implement the present resolution and to report to the Assembly within three months on progress made in this regard.

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[8] A/66/371-S/2011/592, annex I.

[9] S/2003/529, annex.